TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

10,045 Disclaimers

١	PATENTING REJE	CTION OVER	a pending s	ECOND A	PPLICATION	YEIVE PG4114	
_	In re Application of: Application No.	GARRILL, et. al. 09/599,274	JUL 1 0 2003			1 6 2003	
	Filed:	06/22/2000	(A)	<i>(</i>	IECHNOL	OGY CENTER R3700	
	For: METHOD AND		TORING TORINGE	S SSURIZED	CONTAINER COM	NTAINING A DRUG	
	· · · · · · · · · · · · · · · · · · ·						
	The owner, interest in the instant all any patent granted on the defined in 35 U.S.C. 15 granted on pending second the owner hereby agrees such period that it and any patent granted on the second the interest of the owner hereby agrees agree such period that it and any patent granted on the interest interest in the instant and i	pplication hereby differ instant application 4 to 156 and 173 a cond Application Number that any patent any patent application to instant application	ion, which would as shortened by a simber 1 so granted on the don the second a on and is binding	as provided extend beyong terminal of 10/311,819 experience instant appropriation a upon grante	ond the expiration disclaimer filed price, filed on solication, filed on ere commonly owners, its successors of	al part of the statutory date of the full statutor to the grant of any part of the full statutor to the grant of any part of the full statutor to the grant of the full statutor and the full statutor assigns.	d during uns with
	In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.						
l	Check either box 1 or 2	, if appropriate.					
	agency, et	c.), the undersigned	d is empowered t	o act on ber	iair of the organiza		
	I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.						
۱	2. 🛛 The under	signed is an attorne	ey of record.				
۱	Owner/applicar	nt is 🔲 Sma	all entity 🛛	Large enti	ty		
۱	The terminal disclain	ner fee under 37 Cl	FR 1.20(d) is	\$110.0	o and is to	be paid as follows:	
I	☐ A check in the a	mount of the fee is	enclosed.				
			o charge any fees 07-1392	s which may _·	be required, or cre	edit any overpayment,	
	PTO suggested wording	ig for terminal discla	aimer was				
	🖸 unchan	ged. 🔲 chang	jed (if changed, a	n explanatio	n should be suppli	ed.)	
	Not	let f. frets	/	Dated:	hely 7, 20	03	
-		Signature			I certify that fhis d	ocument and fee is being	deposited
	Name and A	ddress of Person Signing			on first class mail under	with the U.S. Postal 37 C.F.R. 1.8 and is addre	ssed to the
	Registration No.: 40,82	0			22313-1450.	tents, P.O. Box 1450, Alex	anuna, vA
	Telephone: 919-483-961	160FELELL	ABBB (1118) 11111 BIBUL (BB) (BB)		P	in Identification	
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	I	PATENT	TRADEMARK OFFICE		II	Ban Younan	

Typed or Printed Name of Person Mailing Correspondence

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket No. PG4114

In re Application of:	GARRILL, et. al.							
Application No.	09/599,274							
Filed:	06/22/2000							
For: METHOD AND	PACKAGE FOR STORING A PRESSURIZED	CONTAINER CONTAINING A DRUG						
The owner, SmithKline Beecham Corporation of 100.00 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/312,073 , filed on 12/19/2002 The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with								
any patent granted on t	he instant application and is binding upon grant	ee, its successors or assigns.						
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.								
Check either box 1 or 2	e, if appropriate.							
1.	issions on behalf of an organization (e.g., c.c.), the undersigned is empowered to act on be	corporation, partnership, university, government half of the organization.						
I-hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.								
2. The under	signed is an attorney of record.							
3. Owner/applica	nt is 🔲 Small entity 🗵 Large en							
The terminal disclair	mer fee under 37 CFR 1.20(d) is\$110.	and is to be paid as follows:						
☐ A check in the a	☐ A check in the amount of the fee is enclosed.							
	— — — to the standard to short a cru food which may be required, or credit any overnayment							
PTO suggested wording	PTO suggested wording for terminal disclaimer was							
☑ unchanged. ☐ changed (if changed, an explanation should be supplied.)								
Thob	A fill Dated:	July 7, 2003						
	Signature	I certify that this document and fee is being deposited						
	ddress of Person Signing COLDERT Z1392 09599274	on with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.						
Telephone: 919-483-96		2.11.						
<u>-</u>		Signature of Person Maining Correspondence						
	2334 / PATENT TRADEMARK OFFICE	Ban Younan						
	··· - South Office	Typed or Printed Name of Person Mailing Correspondence						

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION 11/FT PG4114

Docket No.

		/			
In re Application of:	GARRILL, et. al.	- JUL 1 0 2003	C/81	JUL 1 6 2003	
Application No.	09/599,274	JUL 1 0 2003	ا پي	TECHNOLOGY	
Filed:	06/22/2000	\@\ .(See .	TECHNOLOGY CENTER R370	
For: METHOD ANI) PACKAGE FOR	STORISCOMME	SSURIZED CONT	AINER CONTAINING A	DRUG
	,	•			
The owner,	SmithK	line Beecham Corp	oration	of 100.00 r, the terminal part of the si	percent tatutory term of
any natent granted on	the instant applica	ation which would	l extend bevond th	e expiration date of the ful	i statutory term
defined in 35 II S.C. 15	54 to 156 and 173	as shortened by a	ınv terminal disclai	mer filed prior to the grant o	of any patent q
The owner hereby agree	es that any paten	it so granted on th	e instant application	n shall be enforceable only	for and during
such period that it and	any patent grante	ed on the second a	application are cor	nmonly owned. This agreé successors or assigns.	ment runs with
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In making the above of	disclaimer, the ow	ner does not disc	claim the terminal	part of any patent granted s defined in 35 U.S.C. 154	on the instanto 156 and 173
of any natent granted (on the second app	lication as shorte	ned by any termina	al disciaimer filed prior to tr	ne patent grant
in the event that any si	uch granted patent	t expires for failu	re to pay a mainte	nance fee, is held unenford e or terminally disclaimed	ceable, is found
1 321 has all claims	cancelled by a rea	examination certif	icate, is reissued.	or in any manner termina	ted prior to the
expiration of its full state	tutory term ás sho	rtened by any tern	ninal disclaimer file	d prior to its grant.	
Check either box 1 or 2	2, if appropriate.				
		f of an organizat	ion (e.g. cornora	tion, partnership, universit	v governmen
1.	issions on benail tc.), the undersign	ed is empowered	to act on behalf of	the organization.	y, governmen
•	-			re true and that all staten	nents made or
الأمنامما لمميم سينتب أسيبين	are believed to be	a truck and furtha	r that thaca ctatan	ients were made with the	knowledde ina
willful false statements	and the like so r	made are punisha	ble by fine or important	isonment, or both, under sardize the validity of the ap	Section 1001 o
patent issued thereon.	States Code and tr	nat such williui sta	itements may jeop	ardize the validity of the ap	phoduction of any
•		nov of record			
 -	rsigned is an attorr				
Owner/applica	nt is 🔲 Sm	nall entity 🖾	Large entity		
The terminal disclain	mer fee under 37 (CFR 1.20(d) is	\$110.00	and is to be paid as fol	iows:
☐ A check in the a	mount of the fee is	s enclosed.	•		
	nereby authorized	to charge any fee	s which may be red	quired, or credit any overpa	yment,
to Deposit Acco	ount Number	07-1392			
PTO suggested wording	ng for terminal disc	claimer was			
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flet	ret y full		Dated: Kill	21,2003	
	Signature			to that this desument and for	is boing deposite
Name and A	ddress of Person Signin	g	on	fy that this document and fee with the U.S.	3. Postal Service a
Robert J. Smith			Comm	ass mail under 37 C.F.R. 1.8 and issioner for Patents, P.O. Box 14	50, Alexandria, V
Registration No.: 40,82			22313	1450.	
Telephone: 919-483-96	16			tin lama	N
stment date: 07/31/2000 /2003 SZEWDIE1 0000015#				Signature of Person Mailing Cor	respondence
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PATENT TRADEMARK OFFICE

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Ban Younan

Typed or Printed Name of Person Mailing Correspondence

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE Docket No. PATENTING REJECTION OVER A PENDING SECOND APPLICATION FRG4114 In re Application of: GARRILL, et. al. JUL 1 6 2003 09/599,274 Application No. JUL 1 0 2003 Filed: 06/22/2000 **TECHNOLOGY CENTER R3700** METHOD AND PACKAGE FOR STORIN A PRESSUREZED CONTAINER CONTAINING A DRUG For: percent 100.00 SmithKline Beecham Corporation interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent g The owner. granted on pending second Application Number 10/071,674 , filed on 02/07/2002 The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant. in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant. Check either box 1 or 2, if appropriate. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. I-hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon. The undersigned is an attorney of record. 2. Large entity ☐ Small entity Owner/applicant is 3. and is to be paid as follows: The terminal disclaimer fee under 37 CFR 1.20(d) is \$110.00 ☐ A check in the amount of the fee is enclosed. The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, 07-1392 to Deposit Account Number PTO suggested wording for terminal disclaimer was changed (if changed, an explanation should be supplied.) IN unchanged. 2003 Dated: Signature I certify that this document and fee is being deposited on 7153 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA Name and Address of Person Signing Robert J. Smith 22313-1450. Registration No.: 40,820 Telephone: 919-483-9616

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Ban Younan

Typed or Printed Name of Person Mailing Correspondence